

To: McKean, Deborah[mckean.deborah@epa.gov]
From: Broussard, Rebecca
Sent: Tue 8/11/2015 11:22:57 PM
Subject: FW: Water contamination concerns/Animas River removed.txt

From: Ken Golden [mailto:ken@ggllaw.net]
Sent: Tuesday, August 11, 2015 5:13 PM
To: Broussard, Rebecca
Subject: Water contamination concerns/Animas River

Dear Ms. Broussard:

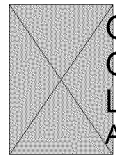
I am a local attorney whose firm has been representing the Ranch Subdivision for several years. The subdivision is located off of Hwy 550 just north of the intersection of CR 203 in Durango. The Ranch Subdivision consists of 107 lots and approximately 100 acres. Approximately 60 acres are irrigated acres (comprising about 30 acres of common area and 30 acres of individual lots). The subdivision is served by water from the Animas Consolidated Ditch Company. The subdivision has numerous ditches, eight pumps, approximately 20 ponds and two small lakes. The subdivision has extensive landscaping in both the common areas and on the individual lots. The Subdivision is responsible for irrigating both the common areas and the individual lot owners.

At the time of toxic water release, the Animas Ditch Company closed off the head gates of the ditch. However; the closure evidently was not sufficient to keep out some of the sludge and toxic materials. As a result, the subdivision's irrigation system has been negatively impacted. There is a residue in some or all of the irrigation system including ditches and ponds. My client has a concern about how its irrigation system can be cleaned out and what the potential short and long term negative impacts may be on their irrigation system and landscaping. It wants to know what can be done with any of the soils which have been impacted by the toxic residue. We need to know if they can be treated, or disposed of in any way. Obviously, my client does not want to reactivate its irrigation system before receiving assurances that it is safe to do so and that it has been properly cleaned. Additionally, my client is asking who is going to pay for the clean-up of their system and property. A longer term issue is the potential damage to landscaping if irrigation cannot be timely resumed.

I have been informed that you have been designated as the point person for the EPA to try to handle these types of matters. Accordingly, I wanted to notify you of the situation with respect to this subdivision so that it can be on your radar of things to address. I also have a few other individual clients who have been similarly impacted and would like to discuss their situations with you as well.

Thank you for your attention to this matter

Kenneth S. Golden



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